

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON JUNE 3, 2009, WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, VICE PRESIDENT AND R. SCOTT CROSWELL III, MEMBER. LET THE RECORD SHOW THAT COMMISSIONER HUMPHREY WAS ABSENT THIS DATE. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE VICE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 97-09/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **97-09** resolving to approve payment to vendors as set forth in the General Ledger Distribution Report(s) presented by the County Auditor 06/01/09 in the total amount of \$1,534,597.58, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS & SECURITY/THE TELECOMMUNICATIONS DIVISION...EXECUTION OF CONTRACT FOR SERVICES AND REQUEST TO ENGAGE BILLABLE RESOURCE WITH CINCINNATI BELL TECHNOLOGY SOLUTIONS, INC. RELATIVE TO IMPROVEMENTS TO THE BAUER ROAD CAMPUS PBX TELEPHONE SYSTEM...09-0518-001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications & Security/The Telecommunications Division, with the concurrence of David L. Spinney, County Administrator, to execute a Contract for Services and the Request To Engage Billable Resource by and between the Board of County Commissioners of Clermont County, Ohio, and Cincinnati Bell Technology Solutions, Inc., 4600 Montgomery Road, Suite 400, Cincinnati, Ohio 45212 for the provision of changing the Bauer Road Campus PBX telephone system internal IP scheme for a one-time cost of \$585.00, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT... PUBLICATION OF NOTICE OF PUBLIC HEARING RELATIVE TO THE PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT SMALL CITIES FORMULA APPLICATION FOR THE COUNTY OF CLERMONT, OHIO, FOR FISCAL YEAR 2009...09-0602-002...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to approve the request to schedule a public hearing relative to the proposed Community Development Block Grant Small Cities Formula Application for the County of Clermont, Ohio, for Fiscal Year 2009 and to authorize the Clerk of the Board to place a Notice of Public Hearing in a newspaper of general circulation on 6/11/09 designating **Wednesday, 06/24/09 at 2:00 P.M. Local Time** in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960 as the date, time and location for the afore stated public hearing to afford public comment relative thereto. This notice is also posted on Clermont County’s internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
RELEASE OF COMBINED PERFORMANCE-MAINTENANCE BOND AS
SURETY FOR THE INSTALLATION OF A LIFT STATION AND
ACCEPTANCE OF SAME INTO THE COUNTY SEWER SYSTEM...07-
0223-007...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to authorize the release of a Combined Performance-Maintenance Bond, heretofore converted to the maintenance bond phase on 05/06/08, which provided surety for the installation of a lift station to serve the following subdivision, and to accept said lift station into the County Sewer System pursuant to the Clermont County Water Resources Department Rules and Regulations:

Subdivision	Township	Maintenance Bond
Reserves of Greycliff Subdivision Section 1	Miami	\$7,500.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...AWARD
OF BID FOR PROJECT NUMBER 621-0955 RELATIVE TO THE GLEN
ESTE-WITHAMSVILLE ROAD/OLD ST. RT. 74 WATER MAIN
REPLACEMENT PROJECT LOCATED WITHIN UNION TOWNSHIP
AND EXECUTION OF CONTRACT RELATIVE THERETO...09-0320-
008...RATIFIED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jeff Goetz, Project Manager, with the concurrence of Lyle G. Bloom P.E., Sanitary Engineer, Clermont County Water Resources Department, to award the bid for Project Number 621-0955 relative to the Glen Este-Withamsville Road/Old St. Rt. 74 Water Main Replacement Project located in Union Township, pursuant to the plans and specifications therefore, to G.M. Pipeline, Inc., 6633 Lake Drive, West Chester, Ohio 45069-3906, for their lowest and best bid received therefore on 05/07/09, at the item prices as outlined therein, for a total amount not to exceed \$1,580,170.18 and to execute the Contract relative thereto, pursuant to and in compliance with the terms and conditions set forth therein and the award of bid therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...AWARD OF BID FOR ITEMS ONE THROUGH FIVE FOR MAINTENANCE AND REPAIR OF WATER DISTRIBUTION AND/OR WASTEWATER COLLECTION SYSTEMS AND APPURTENANCES AND EXECUTION OF CONTRACT RELATIVE THERETO...09-0310-002...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen L. Knipp, Assistant Director of Operations, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to award the bid for the Maintenance and Repair of Water Distribution and/or Wastewater Collection Systems and Appurtenances for Bid Items 1, 2, 3, 4, and 5 pursuant to the specifications therefore, to J & L Equipment, Inc., Post Office Box 347, 4000 Roudebush Lane, Batavia, Ohio 45103 for the lowest and best bid received therefore on 04/09/09, at the item prices as outlined therein, for a total estimated amount of \$278,420.00 and to execute the Contract for Maintenance and Repair of Water Distribution and/or Wastewater Collection Systems and Appurtenances by and between the Board of County Commissioners of Clermont County, Ohio, and J & L Equipment, Inc. effective upon execution for a period of one year thereafter, pursuant to and in compliance with the terms and conditions set forth therein and the award of bid therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...AWARD OF BID FOR ITEM SIX FOR MAINTENANCE AND REPAIR OF WATER DISTRIBUTION AND/OR WASTEWATER COLLECTION SYSTEMS AND APPURTENANCES FOR SAME...09-0522-001...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen L. Knipp, Assistant Director of Operations, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to award the bid for the Maintenance and Repair of Water Distribution and/or Wastewater Collection Systems and Appurtenances for Bid Item 6A and Alternate Bid Item 6B, pursuant to the specifications therefore, to Utter Construction, Inc. 779 Prather Road, Felicity, Ohio 45120 for the lowest and best bid received therefore on 04/09/09, at the item prices as outlined therein, for a total estimated amount of \$97,012.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... RESOLUTION NUMBER 98-09/RESOLUTION AUTHORIZING THE SUBMITTAL OF A LOAN APPLICATION FOR A WATER POLLUTION CONTROL LOAN FUND (WPCLF) LOAN TO ASSIST IN FINANCING PROJECT NUMBER 651-0123 RELATIVE TO THE SHAYLER RUN

SEGMENT "C", PHASE II, SANITARY SEWER REPLACEMENT PROJECT, LOCATED IN UNION TOWNSHIP, DESIGNATING THE SANITARY ENGINEER AS PROJECT REPRESENTATIVE FOR THE WPCLF LOAN; DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND IDENTIFYING THE NECESSITY FOR CONTINGENCY AWARD OF BIDS WHEN BIDS ARE RECEIVED FOR SAID PROJECT RELATIVE THERETO...09-0519-003...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Director, Office of Management and Budget, and Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to adopt Resolution Number **98-09** resolving to authorize the submittal of a Loan Application through the Water Pollution Control Loan Fund (WPCLF) Program to assist with financing for the planning, design, and construction of Project Number 651-0123 relative to the Shayler Run Segment "C", Phase II, Sanitary Sewer Replacement Project located in Union Township; to designate Lyle G. Bloom, P.E., Sanitary Engineer, as Project Representative for the WPCLF Loan; to designate the dedicated source of repayment to be the capital cost recovery portion of the wastewater service charges and, if necessary, wastewater system capacity charge revenue; and to provide for contingency award of bid when bids are received for said project, with agreement that the Clerk of the Board may furnish a certified copy of this motion and the resolution evidencing compliance with all of the requirements of the WPCLF Program to be supplied with the application to the Ohio Environmental Protection Agency (OEPA) and Ohio Water Development Authority (OWDA) therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... AWARD OF BIDS FOR THE FURNISHING AND DELIVERY OF CHEMICALS FOR THE COUNTY WATERWORKS SYSTEM AND EXECUTION OF CONTRACTS RELATIVE THERETO...09-0305-002, 09-0521-001, 09-0521-002, AND 09-0521-003...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Mark K. Day, Assistant Director of Operations, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to award the bids for the furnishing and delivery of Chemicals for the County Waterworks System, pursuant to the specifications therefore, to General Chemical Performance Products, LLC, 90 East Halsey Road, Parsippany, New Jersey 07054 for Item #1, Aluminum Sulfate, in the estimated amount of \$188,568.00, Brenntag Mid-South, Inc., 3900 Tucker Avenue, Louisville, Kentucky 40216, for Item #2, Chlorine, and Item #3, Hydrofluosilicic Acid, in the estimated amounts of \$23,520.00 and \$83,390.00, respectively, Bonded Chemicals, Inc., 2645 Charter Street, Columbus, Ohio 43228 for Item #4, Caustic Soda, in the estimated amount of \$310,137.50 and Univar USA, Inc., 4600 Dues Drive, Cincinnati, Ohio 45246 for Item #5, Potassium Permanganate, in the estimated amount of \$95,700.00, which represent the lowest and best bids received therefore on 04/09/09, and to execute the Contracts for Chemicals relative thereto effective upon execution for a period of one year thereafter, and further to waive the requirement for performance bonds referenced in Article 3 of the General Instructions to Bidders in and as it relates thereto pursuant to and in compliance with the terms and conditions set forth therein and the award of the bids therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: COUNTY ENGINEER...REQUEST FOR A TEMPORARY DETOUR TO
THROUGH TRAFFIC ON OLD SR 28 IN GOSHEN TOWNSHIP...09-
0528-001...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize a temporary detour to through traffic on Old SR 28 in Goshen Township for the period of **Monday, 06/08/09 through Monday, 09/14/09**, for Project Number GO-30-01 relative to the Old SR 28 Bridge Replacement Project, with the understanding that the appropriate barriers and detour signs will be maintained during the afore stated temporary detour along an alternate route by the appropriate law enforcement agency therefore pursuant to Section 5543.17 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: COUNTY ENGINEER...PERMANENT EASEMENTS HERETOFORE
GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT,
OHIO, FOR PROJECT NUMBER UN-03-09 RELATIVE TO THE
SCHOOLHOUSE ROAD IMPROVEMENT PROJECT LOCATED IN
UNION TOWNSHIP...09-0519-002...ACCEPTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept the following Permanent Easements heretofore granted and conveyed to the County of Clermont, Ohio, for roadway purposes necessary for Project Number UN-03-09 relative to the Schoolhouse Road Improvement Project located within Union Township:

Grantor	Parcel Number
Kathryn L. Levi 4649 Schoolhouse Road Batavia, Ohio 45103	41-31-04E-171
Carl Thomas and Katherine Ann Moore 4654 Tealtown Road Batavia, Ohio 45103 Property Location: Schoolhouse Road	41-31-06C-087
Board of Education of the West Clermont Local School District Clermont County, Ohio 4529 Schoolhouse Road Batavia, Ohio 45103	41-31-04E-156

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 99-09/RESOLUTION
DECLARING THE NECESSITY TO APPROPRIATE CERTAIN LAND
FOR PUBLIC PURPOSES IN CONCERT WITH PROJECT NUMBER BA-**

**01-05 RELATIVE TO THE APPLE ROAD IMPROVEMENT PROJECT
LOCATED IN BATAVIA TOWNSHIP...09-0520-005...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Allan L. Edwards, Assistant Prosecuting Attorney, to adopt Resolution Number **99-09** resolving to proceed to file a Petition for Appropriation of Real Property for a portion of Parcel Number 03-20-22B-262, owned by Joseph and Karen E. Pilis, 24 Apple Road, Amelia, Ohio 45102 as identified in Exhibit 1, attached thereto and made a part thereof, in concert with Project Number BA-01-05 relative to the Apple Road Improvement Project located within Batavia Township; resolving to authorize a Declaration of Intent to Take Possession as designated in Exhibit 2, attached thereto and made a part thereof, to be filed, and to authorize the amount of \$4,940.00 to be deposited with the Clermont County Common Pleas Clerk of Courts, which represents the County Engineer's appraisal of the value of the real property to be appropriated and damages thereto, if any; and further, to authorize the County Auditor to issue the referenced payment subsequent thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: OFFICE OF MANAGEMENT AND BUDGET....ESTABLISHMENT OF
2008 COST ALLOCATION RATES FOR THE CLERMONT COUNTY
COMMUNICATIONS CENTER...09-0506-001...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Director, Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to establish the Clermont County Communications Center 2008 Cost Allocation Rates necessary to recover the incremental cost from the users of the system, which represents 27.66% of the actual 2008 cost of the operation of the Clermont County Communications Center, as computed based on the 2008 actual billable dispatches and 2008 actual airtime usage, to be billed in June, 2009, and payable by May 1, 2010, at the following rates:

User Type	2007 Cost Allocation Rate	2008 Cost Allocation Rate
Public Safety Governmental User	\$7.96/Dispatch	\$8.372/Dispatch
Other Dispatched Users	\$6.68/Dispatch	\$7.024/Dispatch
Other 800MHz Air Time Users	\$0.74/Minute of Air Time	\$0.664/Minute of Air Time

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: BOARD OF COUNTY COMMISSIONERS....WAIVER OF
EXPENDITURE LIMITATION FOR PAYMENT OF CURRENT
PAYROLL DURING THE FIRST HALF OF FISCAL YEAR...08-1203-
001...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, pursuant to Section 5705.46 of the Ohio Revised Code, which limits expenditures for current payrolls during the first half of any

fiscal year to six tenths of the appropriation, to waive such limitation where personnel costs are distributed among multiple funding sources or will be changing in the second half of the year based on grant schedules.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: BOARD OF COUNTY COMMISSIONERS...PUBLICATION OF NOTICE
 OF PUBLIC HEARING RELATIVE TO THE ANNUAL TAX BUDGET
 FOR FISCAL YEAR 2010...09-0529-002...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Mary K. Rains, Budget Analyst, Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to authorize the Clerk of the Board to place Notice of Public Hearing in the Clermont Sun on **Thursday, 06/11/09**, to publish the date, time, and place of the Public Hearing relative to the Annual Tax Budget for Fiscal Year 2010. Public Hearing to be held **Wednesday, 06/24/09**, at **2:30 P.M. Local Time** in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103, for the receipt of comments relative thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**IN RE: HUMAN RESOURCES DEPARTMENT...EXECUTION OF TUITION
 ASSISTANCE AGREEMENT FROM A CLERMONT COUNTY
 EMPLOYEE...05-0412-003...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to execute a Tuition Assistance Agreement submitted by the following employee for participation in the Clermont County Tuition Assistance Program, pursuant to Section 4.12 of the Clermont County Personnel Policy and Procedures Manual:

Department/Employee	Class Name	Amount
Clermont County Juvenile Court Sarah E .Johnson	Social & Cultural Foundations of Education	\$ 787.50

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

LET THE RECORD SHOW: A MOTION BY MR. CROSWELL, SECONDED BY MR. PROUD, TO GO INTO EXECUTIVE SESSION AT 1:25 P.M. PURSUANT TO SECTION 121.22(G)(3) OF THE OHIO REVISED CODE TO CONFER WITH THE PROSECUTING ATTORNEY REGARDING PENDING LITIGATION, CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 2:14 P.M. WITH NO ACTION TAKEN.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Proud, to approve the minutes of Regular Session of **06/03/09** carried with all members present voting affirmatively thereon.

IN RE: ADJOURNMENT...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 2:15 P.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Absent.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT
ROBERT L. PROUD, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 06/03/09